

Attorney Docket No. 26177

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

GIORDANO et al.

International Application No. PCT/EP03/00242

Serial No. 10/501,295 / Filed: July 12, 2004

International Filing Date: 13 January 2003 (01.13.2003)

Title: **PANTOPRAZOLE CYCLODEXTRIN INCLUSION COMPLEXES**

TRANSMITTAL LETTER

Commissioner of Patents
P.O. Box 1450
Alexandria, Va 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Information Disclosure Statement;
- (3) PTO Form 1449 citing 19 references;
- (4) Copies of 18 references.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,

NATH & ASSOCIATES PLLC

By: 

Gary M. Nath
Registration No. 26,965
Sheldon M. McGee
Registration No. 50,454
Customer No. 34375

Date: 9/21, 2004
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In re Application of:

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. § 1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

[X] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311.

The enclosed statement is accompanied by [check one]:

- [] i. a certification in part (e) below as specified in 37 C.F.R. § 1.97(e), or
- [] ii. a check in the amount required by 37 C.F.R. § 1.17(p).

[] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311, but before payment of the issue fee.

[] Certification report(e) below; and

[] a check in the amount as required by § 1.17(p).

[] d. The enclosed statement is being filed pursuant to 37 C.F.R. § 1.97(i), for placement in the file.

[] e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

[] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[] Appropriate certification is attached.

[X] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[X] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[X] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). or Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES

By: 

Gary M. Nath
Registration No. 26,965
Sheldon M. McGee
Registration No. 50,454
Customer No. 34375

Date: 9/21, 2004

FORM PTO-1449				Atty Docket 26177		Serial No. 10/501,295	
				Applicant GIORDANO et al.			
				Filing Date July 12, 2004		Group Art Unit Not Yet Assigned	
SUPPLEMENTAL INFORMATION DISCLOSURE CITATION							
U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
	AA	5,399,700	03.21.95	Min et al.			12.29.92
	AB						
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub-Class	Translation
	AC	0 005 129	31.10.79	EP			N/A
	AD	0 174 726	19.03.86	EP			N/A
	AL	EP 1 018 340 A1	12.07.00	EP			N/A
	AF	0 166 287	02.01.86	EP			N/A
	AG	0 244 380 B1	04.11.87	EP			N/A
	AH	EP 0 268 956 B2	01.06.88	EP			N/A
	AI	WO 86/00913	13.02.86	WO			ABSTRACT
	AJ	WO 92/22284	23.12.92	WO			ABSTRACT
	AK	WO 93/13138	08.07.93	WO			N/A
	AL	WO 96/01623	25.01.96	WO			N/A
	AM	WO 96/01624	25.01.96	WO			N/A
	AN	WO 96/01625	25.01.96	WO			N/A
	AO	WO 96/38175	05.12.96	WO			ABSTRACT
	AP	WO 97/02020	23.01.97	WO			N/A
	AQ	WO 97/25030	17.07.97	WO			N/A
	AR	WO 98/40069	17.09.98	WO			N/A
	AS	WO 99/62958	09.12.99	WO			N/A
	AT						
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	AU	Duchene, D. et al. "New Trends in Pharmaceutical Applications of Cyclodextrin Inclusion Compounds", Kluwer Academic Publishers, pp.265-275, 1988.					
Examiner				Date Considered			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							